

REMARKS

Claims 37-50 are pending in this application. By this Amendment, claims 22-36 are canceled and claims 37-50 are newly added. Support for claims 37-50 can be found throughout the original specification at, for example, prior claims 22-36. No new matter is added.

Interview

The courtesies extended to Applicants' representative by Examiner Levkovich at the interview held October 16, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

Objection To The Drawings

The drawings were objected to for allegedly not showing "trapping chambers that communicate only with the ducts." See page 2, section 3 of the Office Action. This feature was recited in prior claim 22. Applicants respectfully traverse this objection.

Claim 22 is canceled and none of new claims 37-50 require "trapping chambers that communicate only with the ducts." Thus, the objection to the drawings is moot.

Further, Figs. 1-3, 7-8 and 14, for example, show a fluidic device comprising two expansion chambers 61 and 62 that are placed between the operative cavity 3 and each duct 41 and 42. However, the specification recites "...the use of the fluidic device...can be carried out without the expansion chambers (61) and (62)...". See page 15, lines 18-21 of the specification. Thus, one of ordinary skill in the art would understand that, in the absence of the expansion chambers, the trapping chambers may communicate with the ducts directly. The use of the expansion chambers is a preferred embodiment, and not a requirement in every embodiment. The drawing Figs. 1-3, 7-8 and 14 show the preferred embodiment, including

the expansion chambers. A drawing figure showing a lack of the expansion chambers is thus not necessary.

For at least the above reasons, the drawings comply with 37 CFR 1.83(a). Withdrawal of the objection is respectfully requested.

35 U.S.C. §112 Rejections

First Paragraph

Claims 27-30 were rejected under 35 U.S.C. §112, first paragraph, as allegedly not finding support in the specification. Applicants respectfully traverse this rejection.

Claims 27-30 are canceled and the rejection of these claims is moot. Withdrawal of the rejection is respectfully requested.

Second Paragraph

Claims 22-36 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Applicants respectfully traverse this rejection.

Claims 22-36 are canceled and the rejection of these claims is moot. Withdrawal of the rejection is respectfully requested.

35 U.S.C. §102(a) And (e) Rejection

Claims 22-36 were rejected under 35 U.S.C. §102(a) and (e) as allegedly having been anticipated by Mian (U.S. Patent Application Publication No. 2001/0055812). Applicants respectfully traverse this rejection.

Claims 22-36 are canceled and the rejection of these claims is moot. In addition, Mian does not anticipate new claims 37-50, as discussed below.

Mian describes an apparatus for performing microanalytic analyses. See the Abstract of Mian. Mian describes a combination of a rotatable microplatform, an analytic/synthetic microvolume assay platform ("disk") and a micromanipulation device for manipulating the platform to achieve fluid movement on the platform as a result of rotation. See paragraph

[0098] of Mian. Mian describes that the disk is rotated within the device to impart centripetal force to effect fluid flow on the disk. See paragraph [0099] of Mian. Mian describes that the amount of reagent delivered to a reaction chamber is controlled by the speed of rotation and time during which the valve to the reagent is open. See paragraph [0102] of Mian. Mian is thus very different from the microfluidic device of claim 37, as further discussed below.

Claim 37 requires a heat exchange device that exchanges heat with one and/or the other gas trapping chamber to control a pressure of a gas in one and/or the other gas trapping chamber wherein the pressure of the gas in the one and/or the other gas trapping chamber controls the flow of the liquid. Mian does not describe at least this feature of claim 37. As discussed above, Mian uses rotation of the disk to provide centripetal force to effect fluid flow, rather than by using heat to change a pressure. Mian does not describe in any way, a heat exchange device that exchanges heat with one and/or the other gas trapping chamber to control a pressure of a gas in one and/or the other gas trapping chamber wherein the pressure of the gas in the one and/or the other gas trapping chamber controls the flow of the liquid.

Mian does not describe a heat exchange device as recited in claim 37. Mian describes that a temperature control element can be fabricated onto the disk. Mian describes that the temperature of any particular area on the disk can be monitored. See paragraph [0150] of Mian. The mere description that a temperature control element can be included in the device of Mian does not anticipate the heat exchange device that exchanges heat with one and/or the other gas trapping chamber to control a pressure of a gas in one and/or the other gas trapping chamber of claim 37.

The temperature control element of Mian also does not describe the particular requirements of claim 37 regarding heat exchange and pressure control. Mian does not describe a heat exchange device that exchanges heat with one and/or the other gas trapping chamber to control a pressure of a gas in one and/or the other gas trapping chamber. Mian

provides no description of controlling pressure of any gas at all, and certainly does not provide any description of controlling a pressure of a gas in a gas trapping chamber using a heat exchange device. Mian thus does not describe a heat exchange device that exchanges heat with one and/or the other gas trapping chamber to control a pressure of a gas in one and/or the other gas trapping chamber.

Claims 38-50 depend from claim 37. For at least their respective dependency, and for the additional features recited, claims 38-50 also are not anticipated by Mian.

In view of the above, withdrawal of the rejection is respectfully requested.

Concluding Remarks

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 37-50 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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